

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

GREENBUSH BREWING CO, a Michigan corporation,

Plaintiff,

v

Honorable:

Case No:

MICHIGAN LIQUOR CONTROL
COMMISSION, ANDREW J. DELONEY,
Chairman, in his official Capacity; KURT COX
Grand Rapids District Supervisor, in his official
capacity and JON REEDER, Regulation Agent and
Investigator, in his official capacity,

AFFIDAVIT OF SCOTT SULLIVAN

Defendants.

MILLER, CANFIELD, PADDOCK
AND STONE, PLC
Joseph M. Infante (P68719)
Christopher J. Gartman (P83286)
99 Monroe Avenue NW, Suite 1200
Grand Rapids, MI 49503
(616) 776-6333
infante@millercanfield.com

AFFIDAVIT OF SCOTT SULLIVAN

STATE OF MICHIGAN)
) SS.
COUNTY OF Berrien)

Scott Sullivan, being first duly sworn, deposes and says as follows:

1. I have firsthand knowledge of the facts contained herein, am competent to testify as to these facts and will do so if called as a witness.
2. I am the founding owner of Greenbush Brewing Co, LLC (hereinafter "Greenbush").
3. I have an active role in Greenbush's alcohol manufacturing processes and stay constantly aware of all production and research and development activities.

4. Greenbush has, does and will continue to ferment fruit juice at its licensed premises to make wine and cider.
5. Greenbush also conducts a variety of fruit juice fermentation, blending and mixing experiments at its license premises.
6. Greenbush actively receives in bond both shiners and labeled containers of wine from other Michigan Wine Makers and Small Wine Makers.
7. Greenbush has, does and will continue to blend wine with fruit to produce bulk quantities of Sangria which is offered for sale and consumption at Greenbush's licensed premises.
8. MLCC enforcement agents have informed Greenbush that Greenbush must ferment every drop of cider and wine that Greenbush sells on its premises.
9. MLCC has also informed Greenbush that it must modify all cider and wine that it receives in bond.
10. On June 19, 2019 Greenbush staff informed me that MLCC investigators entered Greenbush's licensed premises and confiscated valuable wine inventory. This inventory consisted of bonded wine received in compliance with Federal and Michigan Law as well as valuable stainless steel keg containers.
11. Certain wine inventory was left at Greenbush's license premises but the company is under order to refrain from selling the wine inventory that remains on premises.
12. The confiscated wine inventory has a retail value of about \$7200.
13. Greenbush fielded numerous complaints from customers desiring cider and wine products during the recent July 4th Holiday Weekend. This has immeasurably harmed Greenbush's goodwill.

Subscribed and sworn to before me this

Scott Sullivan

Notary Public

County of Bell , Michigan

My Commission Expires: 2-12-2021

Acting in Jefferson County, Michigan

